

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-6076-2022

DATE OF DECISION: MARCH 22, 2022

SANDEEP

...PETITIONER

VERSUS

STATE OF HARYANA

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ.

PRESENT: MR. DHANANJAY MITTAL, ADVOCATE FOR THE PETITIONER.
MR. BHUPENDER SINGH, DAG, HARYANA.

MANOJ BAJAJ, J.(ORAL)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.0156 dated 25.8.2020, under Section 420 IPC and Section 66D of Information Technology (Amendment) Act, 2008, Police Station Cyber Crime, District Gurugram, who is in custody since his arrest on 7.7.2021.

The allegations contained in the FIR as noticed by the Addl. Sessions Judge, Gurugram in the order dated 17.1.2022, are as under:-

“Brief facts of the case of the prosecution are that on 07.08.2020, the complainant Bhawna presented a complaint stating therein that she has account no. 309005407525 and from such account from 19.07.2020 to 20.07.2020, an amount of Rs. 38,638,93/- has been withdrawn illegally without her consent. Hence, legal action has been sought.”

Learned counsel for the petitioner has argued that the petitioner has been implicated in the above FIR on the basis of suspicion as a sum of Rs.2,69,000/- was found deposited in his account from an unknown

account. He submits that the other co-accused, namely, Rahul Khan, has already been released on regular bail on 23.11.2021, by this Court in CRM-M-37644-2021, therefore, the petitioner also deserves the similar concession as the investigation is complete

On the other hand, learned State counsel assisted by SI Satya Parkash has argued that the petitioner was also involved in the crime and the money deposited in his account has travelled through the account of his co-accused. However, it is not disputed that the co-accused is on regular bail and the trial is yet to commence.

Considering the above background, the custody of the petitioner, and the fact that co-accused of the petitioner has already been released on bail, therefore, further detention of the petitioner may not be necessary for any useful purpose, as the trial would take considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

March 22, 2022
Gulati

(MANOJ BAJAJ)
JUDGE

Whether Reportable : Yes/No

Whether Speaking/Reasoned : Yes/No